Applicant : Orbanes et al.
Serial·No. : 09/782,967
Filed : February 14, 2001
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Attorney's Docket No.: 15578-017001

REMARKS

Substance of Interview

Applicants thank the Examiner and her supervisor for the in-office interview held on February 10, 2004. The participants included Mylihn Tran and Kristine Kincaid of the USPTO and the applicants and applicant's representatives, David Miranda, Frank Occhiuti, Julian Orbanes, and Max Riesenhuber. To ensure a complete and proper recordation of the substance of the interview on, the following remarks are submitted in accordance with MPEP § 713.04.

A) Demonstrations were conducted showing a product that contains some embodiments of the inventions. Cell phones and PDA's were used to show the power of the interface and how it differed from Strasnick.

B) Claim 1 was primarily discussed.

C) Strasnick et al. (USPN 5,671,381).

D) There were no principle proposed amendments. Applicants pointed out differences from Strasnick and the Examiners pointed out whether or not such differences were included in the broadest claims.

E) The general thrust of the arguments was that the prior art of record failed to demonstrate applicant's claimed process that locates objects in a true three-dimensioned space.

F) See the Interview Summary Form completed by the Examiner re other cases also discussed.

G) No agreement was reached.

H) Not applicable to an in-office interview.

Specification-

Applicants have amended the abstract as suggested.

Claim Objections-

Claim 15 has been amended to fix the dependency.

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Double Patenting-

Applicants shall file a disclaimer should patentable subject matter be identified.

Claim Rejections-

The examiner rejected claims 1-12, and 15-22 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,671,3871 to Stasnick et al. ("Strasnick"). Strasnick does not anticipate each and every claim limitation of applicant's invention. Currently amended claim 1 recites said virtual space including a first dimension, a second dimension, and a third dimension, said first dimension corresponding to a plurality of planes within said virtual space at which one of said hierarchical plates can be located and said second and said third dimensions corresponding to a position of said one of said hierarchical plates within a plane, said hierarchical plates being located along said first dimension according to said hierarchical relationship.

In contrast to the applicants' invention Strasnick does not locate data objects on different planes. In Strasnick, the "ground plane 140 within the information landscape represents a common surface plane upon which the cells 120 and connectors 130 are presented. The sky 150 represents a back plane within the informational landscape upon which additional _attributes_ can be projected." [Strasnick, col. 5, lines 16-24 (emphasis added)] The third dimension in Strasnick is used to enable a comparative measurement of an attribute. For example, Strasnick states that the "_height_ of the column 110 and pedestal 120 is proportional to the file and directory size, respectively." [Strasnick, col. 6, lines 48-50 (emphasis added)] This however, is not locating different data objects associated with different hierarchical plates on different planes as required by the applicants' claimed invention For at least these reasons, claims 1, 5, and 21, and all of their dependent claims distinguishes from Strasnick.

The applicant asks that all claims be allowed.

Enclosed is a $475 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 5|6|04

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